

Mr. Gilman moved to amend by striking out section 13 of the act.

The motion was lost.

Mr. Gilman moved to amend section 1 of Art. II, by adding "that nothing in this act shall apply to planters or cultivators of oysters in duly licensed oyster gardens of North Carolina."

The amendment was lost.

Mr. Morgan offered the following substitute:

The General Assembly of North Carolina do enact:

ARTICLE I.

SECTION 1. It shall be unlawful for any person to use or cause to be used any scoop, scrape, dredge or similar instrument for the purpose of taking or catching oysters from the waters of the State without having first having been licensed as hereinafter provided.

SEC. 2. The Clerks of the Superior Courts of the counties of Dare, Hyde, Pamlico and Carteret shall, upon the application of any person who has been a resident of this State for twelve consecutive months next preceding such application, issue a privilege license to such resident, and to no other person, to employ such boat in taking or catching oysters with scoop, scrape, dredge or similar instrument within the deep waters of Pamlico Sound: *Provided, however,* that no dredge shall be allowed in water less than ten feet deep, which license shall hold good for one season only, and shall only authorize the catching of oysters between the first day of October and the first day of February, and on that day the dredging season shall end and the license shall expire, except for the purpose of taking oysters to plant, or private grounds entered or held under the laws of the State.

SEC. 3. It shall not be lawful for the owner, master or any person on board of any vessel in this State to affix any windlass, spool-winder or other machinery or equipment for